

PATENT COOPERATION TREATY

corrected version

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)

To:

see form PCT/ISA/220

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)Applicant's or agent's file reference
see form PCT/ISA/220FOR FURTHER ACTION
See paragraph 2 belowInternational application No.
PCT/EP2004/053592International filing date (day/month/year)
1.12.2004Priority date (day/month/year)
31.12.2003International Patent Classification (IPC) or both national classification and IPC
C09J153/02, C08F297/04, C08L53/02Applicant
KRATON POLYMERS RESEARCH E.V.

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☒ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 56.11(a)(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



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10/584870

IAP20 Rec'd PCT/PTO 29 JUN 2006

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITYInternational application No.
PCT/EP2004/053592

Box No. 1 Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b))
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

 International application No.
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Box No. IV Lack of unity of invention

1. ☐ In response to the invitation (Form PCT/ISA/206) to pay additional fees, the applicant has:
- ☐ paid additional fees.
 - ☐ paid additional fees under protest.
 - ☐ not paid additional fees.
2. ☒ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is
- ☐ complied with
 - ☒ not complied with for the following reasons:
see separate sheet
4. Consequently, this report has been established in respect of the following parts of the international application:
- ☒ all parts.
 - ☐ the parts relating to claims Nos.

Box No. V Reasoned statement under Rule 43b/s.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-10
Inventive step (IS)	Yes: Claims	
	No: Claims	1-10
Industrial applicability (IA)	Yes: Claims	1-10
	No: Claims	

2. Citations and explanations
see separate sheet

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/EP2004/053592

Re. Item I**Basis of the report**

1. This written opinion is based on the claims 1-10 as filed (see Items IV and V below).

Re. Item IV**Lack of unity of invention**

1. The present application is considered to be non-unitaire (claims 1-5,8-10 ; claims 6-7) in consideration that the present application claims, and particularly claim 1, are not considered to be novel and inventive (see Item V below). Consequently the present application's adhesive compositions do not appear to contain any "special" technical features within the meaning of Rule 13.2 PCT, that is technical features that define a contribution over the prior art, and thus the present application does not appear to meet the requirements of Rule 13.1 PCT for lack of unity.

In this particular PCT case, a decision has been made not to invite the applicant to pay additional fees.

Re. Item V**Reasoned statement with regards to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. The following documents are cited in the present opinion. The numbering will be adhered to during the rest of the proceedings :

D1 WO02057386

D2 DE2942128

2. D1 is considered to disclose the adhesive compositions as described in the application claim 1.

The disclosures of D1 (claims 1-10 ; page 5, line 6 - page 6, line 7 ; Tables 1, 2 (isoprene/butadiene ratios) ; page 15, line 13 (polymer 3a) ; page 6, line 22-25 ; page 8, line 8 - page 9, line 24 ; page 11, line 3-9 ; tables ; examples ; page 1, line 8-10 ; page 10, line 29 - page 11, line 19), are considered to be novelty-attacking for the subject-matter of the present claims 1-10 in consideration of the Guidelines, C. III, 4.7a for the physical measurement of parameters.

**WRITTEN OPINION OF THE
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International application No. .

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The disclosures of D2 (claim 1 ; page 8, line 15-26 ; page 4, line 16 - page 6, line 3 ; page 13, line 16-29 ; page 8, line 28 - page 11, line 19 ; page 11, line 21 - page 13, line 15) are considered to be novelty-attacking for the subject-matter of the present claims 1-10 in consideration of Guidelines, I, III, 4.7a for the physical measurement of parameters.